

Substitute for form 1449/PTO  
**INFORMATION DISCLOSURE  
 STATEMENT BY APPLICANT**  
*(Use as many sheets as necessary)*

Complete if Known	
Application Number	10/804,761
Filing Date	March 19, 2004
First Named Inventor	Hochschuler et al.
Art Unit	3775
Examiner Name	Michael J. Araj

Sheet 1 of 20 Attorney Docket Number 3110.22US02

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code <sup>2</sup> <i>(if known)</i>		
		US- 16,151	12-02-1856	Cole
		US- 376,477	01-17-1888	Harcourt
		US- 817,042	04-03-1906	Burns
		US- 1,079,630	11-25-1913	Baum
		US- 1,409,825	03-14-1922	Brush
		US- 2,077,804	04-20-1937	Morrison
		US- 2,677,369	05-04-1954	Knowles
		US- 2,984,241	05-16-1961	Carlson
		US- 3,426,364	02-11-1969	Lumb
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		US- 3,628,524	12-21-1971	Jamshidi
		US- 3,630,204	12-28-1971	Fishbein
		US- 3,633,583	01-11-1972	Fishbein
		US- 3,702,611	11-14-1972	Fishbein
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		US- 4,011,602	03-15-1977	Rybicki et al.
		US- 4,013,071	03-22-1977	Rosenberg

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> <i>(if known)</i>			
		WO 91/00713 A1	01-24-1991	The Procter & Gamble Company	
		WO 99/02214 A1	01-21-1999	Tegementa, LLC	
		WO 03/07854 A1	01-30-2003	The Spineology Group	
		EP 0277282 A1	08-10-1988	Sulzer AG	

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		US- 4,044,508	08-30-1977	Frederick	
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		US- 4,140,432	02-20-1979	Heule	
		US- 4,162,867	07-31-1979	Calcaterra et al.	
		US- 4,275,490	06-30-1981	Bivins	
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		US- 4,349,921	09-21-1982	Kuntz	
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		US- 4,468,200	08-28-1984	Münch	
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		US- 4,497,075	02-05-1985	Niwa et al.	
		US- 4,501,269	02-26-1985	Bagby	
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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> <i>(if known)</i>			
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		US- 4,553,273	11-19-1985	Wu
		US- 4,554,914	11-26-1985	Kapp et al.
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		US- 4,644,951	02-24-1987	Bays
		US- 4,646,738	03-03-1987	Trott
		US- 4,653,481	03-31-1987	Howland et al.
		US- 4,657,550	04-14-1987	Daher
		US- 4,662,371	05-05-1987	Whipple et al.
		US- 4,686,997	08-18-1987	Oloff et al.

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		US- 4,690,595	09-01-1987	Heule	
		US- 4,696,292	09-29-1987	Heiple	
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		US- 4,733,663	03-29-1988	Farley	
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		US- 4,834,752	05-30-1989	Van Kampen	
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		US- 5,490,860	02-13-1996	Middle et al.		
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		US- 5,968,098	10-19-1999	Winslow
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		US- 6,190,414 B1	02-20-2001	Young et al.
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				First Named Inventor	Hochschuler et al.
				Art Unit	3775
				Examiner Name	Michael J. Araj
Sheet	8	of	20	Attorney Docket Number	
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		US- 6,245,072 B1	06-12-2001	Zdeblick et al.	
		US- 6,248,110 B1	06-19-2001	Reiley et al.	
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		US- 6,280,456 B1	08-28-2001	Scribner et al.	
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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> <i>(if known)</i>			

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				Application Number	10/804,761	
				Filing Date	March 19, 2004	
				First Named Inventor	Hochschuler et al.	
				Art Unit	3775	
				Examiner Name	Michael J. Araj	
Sheet	14	of	20	Attorney Docket Number	3110.22US02	
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		Number-Kind Code <sup>2</sup> ( <i>if known</i> )				
		US- 7,087,082 B2	08-08-2006	Paul et al.		
		US- 7,087,084 B2	08-08-2006	Reiley		
		US- 7,087,087 B2	08-08-2006	Boyer, II et al.		
		US- 7,094,258 B2	08-22-2006	Lambrecht et al.		
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		US- 7,220,281 B2	05-22-2007	Lambrecht et al.		
		US- 7,226,481 B2	06-05-2007	Kuslich		
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		US- 7,449,021 B2	11-11-2008	Underwood et al.		
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		US- 7,662,173 B2	02-16-2010	Cragg et al.			
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="http://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.					
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/804,761
				Filing Date	March 19, 2004
				First Named Inventor	Hochschuler et al.
				Art Unit	3775
				Examiner Name	Michael J. Araj
Sheet	20	of	20	Attorney Docket Number	3110.22US02

## NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIAL <sup>*</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Application and File History for U.S. Patent Application No. 09/827,202 (now U.S. Patent No. 6,575,978), filed April 5, 2001, Inventors Peterson et al., <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Patent Application No. 12/503,663, filed July 15, 2009, Inventors Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 60/219,853, filed July 21, 2000, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 60/185,323, filed February 28, 2000, Inventor Hochschuler, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 60/239,217, filed October 10, 2000, Inventor Johnson, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 60/239,216, filed October 10, 2000, Inventor Johnson, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 10/440,036 (now U.S. Patent No. 7,226,481), filed May 16, 2003, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 11/282,910, filed November 18, 2005, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 11/906,755, filed October 3, 2007, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 12/624,179, filed November 23, 2009, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov</i> .	
		Application and File History for U.S. Provisional Patent Application No. 60/220,303, filed July 24, 2000, Inventor Hektner, <i>as available on PAIR at www.uspto.gov</i> .	
		Application No. PCT/US01/22837, filed July 20, 2001, Applicant The Spineology Group, LLC, International Search Report dated March 8, 2002, 1 page.	
		Patent Interference No. 105,252, Kuslich et al. v. Hochschuler et al., Documents Dated November 9, 2004 – February 3, 2005.	

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